

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

NOV 30 2010

JULIA C. DUDLEY, CLERK
BY: *HMcDonald*
DEPUTY CLERK

REGINALD E. THOMAS,
Plaintiff,

v.

MARTINSVILLE CITY JAIL,
Defendant.

) Civil Action No. 7:10-cv-00519
)
)

) **ORDER**
)

) By: Hon. Jackson L. Kiser
) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1), and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile the action with a proper defendant at the time of his choice.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 30th day of November, 2010.

Jackson L. Kiser
Senior United States District Judge